



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 10/08/02

AGENDA ITEM 4

WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: City Attorney
SUBJECT: City Attorney's Employment Agreement

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution approving modifications to the employment agreement of the City Attorney.

BACKGROUND:

Pursuant to the requirements of Government Code, and the provisions of the City Attorney's employment agreement, the City Council appointed a committee consisting of Councilman Ward and Mayor Cooper to meet with its appointed employees to discuss performance, wages and working conditions. At the conclusion of the meetings, the City Attorney consented to, and the Committee agreed to recommend that the Council approve the modifications set forth in the attached resolution. In addition, the Committee agreed to recommend that the Council enter into a written employment agreement with the City Attorney setting forth the terms and conditions of his employment with the City of Hayward.

Prepared by:

A handwritten signature in black ink, appearing to read "M. O'Toole", written over a horizontal line.

Michael O'Toole, City Attorney

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HAYWARD RELATING TO THE SALARIES AND BENEFITS
OF THE CITY ATTORNEY

WHEREAS, the City Council is required to review the salaries and benefits of the City Attorney; and

WHEREAS, Mayor Cooper and Councilman Ward met with the City Attorney employees to discuss salaries and benefits; and

WHEREAS, the Council has determined that the salaries of its City Attorney should be adjusted to bring it into parity with the average of the group of the cities surveyed to determine compensation levels; and

WHEREAS, the Council has determined that it should enter into a written employment agreement with the City Attorney.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby authorize the following adjustments to be made to the employment contracts and agreements of the City Attorney:

1. The City Attorney shall receive cost of living increases of 4% beginning July 1, 200, July 1, 2003, and July 1, 2004.
2. The City Attorney's salary shall be adjusted 6 % beginning July 1, 2002.
3. The City Attorney's automobile allowance shall be adjusted to \$425 per month beginning July 1, 2002.
4. In recognition of 20 years of municipal service, the City Attorney shall be credited with the equivalent of such service with the City of Hayward for the purpose of calculating benefits. Hence, one week of vacations shall be credited to the City Attorney effective July 1, 2002. Subparagraph a. of paragraph 6 of the City Attorney's Employment Agreement shall be amended to provide 20 days of annual vacation effective January 1, 2003.

IN COUNCIL, HAYWARD, CALIFORNIA _____ , 2002

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward